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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Naoki Tsuchitai

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EXAMINER

BARQADLE, YASIN M

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/023,747	TSUCHITOI, NAOKI	
	Examiner	Art Unit	
	Yasin M. Barqadle	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 17,18,37,38,52 and 56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10,21-30,41-50 and 54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/11/05,01/06,06/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 12, 2006 has been entered.

Response to Amendment

The amendment filed on June 12, 2006 has been fully considered but are not deemed persuasive.

- Claims 17,18,37,38,52 and 56 have been withdrawn.
- Claims 1-10,21-30,41-50 and 54 are presented for examination.

Response to Amendment

2. Applicant argues that the applied reference "is not seen to disclose or to suggest at least the features of acquiring the

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data from said storage unit when the data to be transmitted to the external apparatus is not dependent upon the machine kind of the device, and acquiring the data indicating information on the device from a storage unit in the device when the data to be transmitted to the external apparatus is dependent upon the machine of the device, wherein the data dependent upon the machine kind of the device changes in accordance with an attachment condition of option equipment at the device." (Page 16 paragraph one). Examiner notes that Mukaiyama teaches this limitation as shown in the detailed action. Mukaiyama shows acquiring a data from said storage unit (fig. 6, elements 212 contains html data and image data. See also storing part 25) when the data to be transmitted to the external apparatus is not dependent upon the machine kind of the device (fig. 8 and 12 show independent machine kind information col. 8, lines 39-67 and col. 9, lines 27-47), and acquiring the data indicating information on the device from a storage unit (HDD 114) in the device when the data to be transmitted to the external apparatus is dependent upon the machine of the device (machine dependent information includes model names, MAC addresses, IP addresses, etc. for devices 10, col. 2, lines 1-7 and col. 5, lines 35-54); wherein the data dependent upon the machine kind of the device changes in accordance with an attachment condition of option

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equipment at the device ("The status monitoring part 303 monitors the operation status of each part of the printing device 10 (mainly the operation status of the printing execution part 302), and informs the monitoring results to the MIB controlling part 304 ... Furthermore, when any change of the operation status is detected by the status monitoring part 303, the MIB controlling part 304 sends to the management server 20 an SNMP trap message indicating that a change of the status has just occurred." col. 7, lines 39 to col. 8, line 11 and col. 11, line 1-28. See also fig. 10).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do

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not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-10, 21-30, 41-50 and 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Mukaiyama et al. U.S. Patent No. (6631407).

As per claim 1, Mukaiyama et al teach an information management apparatus (fig. 1, management server 20) for transmitting data indicating information on a device to an external apparatus (status information received by management server 20 is transmitted to device 30), comprising:

a storage unit (fig. 6, elements 212 and fig. 7, storing part 25), adapted for storing data indicating information on the device, the stored data being not dependent on a machine kind of the device (fig. 8 and 12 show independent machine kind information) ;

an acquisition unit, adapted for acquiring the data from said storage unit (fig. 6, elements 212 contains html data and image data. See also storing part 25) when the data to be

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transmitted to the external apparatus is not dependent upon the machine kind of the device (fig. 8 and 12 show independent machine kind information col. 8, lines 39-67 and col. 9, lines 27-47), and acquiring the data indicating information on the device from a storage unit (HDD 114) in the device when the data to be transmitted to the external apparatus is dependent upon the machine of the device (machine dependent information includes model names, MAC addresses, IP addresses, etc. for devices 10, col. 2, lines 1-7 and col. 5, lines 35-54); wherein the data dependent upon the machine kind of the device changes in accordance with an attachment condition of option equipment at the device ("The status monitoring part 303 monitors the operation status of each part of the printing device 10 (mainly the operation status of the printing execution part 302), and informs the monitoring results to the MIB controlling part 304...Furthermore, when any change of the operation status is detected by the status monitoring part 303, the MIB controlling part 304 sends to the management server 20 an SNMP trap message indicating that a change of the status has just occurred." col. 7, lines 39 to col. 8, line 11 and col. 11, line 1-28. See also fig. 10);

a transmission control unit adapted for transmitting the data acquired by said acquisition unit to the external apparatus

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wherein the data stored in said storage unit of said information management apparatus is not acquired from the device "The Web server part 22 (see FIG. 7) processes HTTP requests from the client devices 30. For example, when receiving a request for a file in the storing part 25, the Web server part 22 reads out the corresponding file from the storing part 25. Then, the Web server part 22 attaches a header to the file, and returns it to the client device 30 that has sent the request. When receiving a request of a specific type, the Web server part 22 passes the request to the screen data generating part 23. Then, the Web server part 22 attaches a header to data that are returned by the screen data generating part 23 in response to the request, and returns it to the client device 30 that has sent the request." (col. 9, lines 1-18 and 27-47).

As per claim 2, Mukaiyama et al teach the information management apparatus according to claim 1, wherein when the data is dependent upon the machine kind of the device said acquisition unit transmits a request of data to the device, and receives the data from the device (col.2, 1-7 and col. 7, lines 7-38).

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As per claim 3, Mukaiyama et al teach the information management apparatus according to claim further comprising:

judgment unit, adapted to transmit data in response to a request from said external apparatus, and to judge on the basis of data identification information included in the request, as to whether the requested data is stored in said storage unit in said information management apparatus or stored in the storage unit in the device (col.2, 1-41; col. 6, lines 42-61; col. 7, lines 7-38 and col. 9, lines 1-18 and 27-47), wherein, accordance with a judgment result by said judgment unit, said acquisition unit acquires the data from said storage unit in said information management apparatus or the storage unit in the device (fig. 3 and fig. 7 and col. 7, lines 35 to col. 8, line 11).

As per claim 4, Mukaiyama et al teach the information management apparatus according to claim 3, wherein the data identification information is a path name (col. 6, lines 35-54), and said judgment unit judges, on the basis of a directory part included in path name, as to whether the requested data is stored in said storage said information management apparatus or stored in the

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storage unit in the device (col. 6, lines 35-54 ; col. 5, lines 35-54 col. 9, lines 1-47).

As per claim 5, Mukaiyama et al teach the information management apparatus according to claim further comprising:

judgment unit adapted to judge, on the basis of a list indicating the data dependent upon the machine kind of the device (col. 5, lines 35-65), as to whether the data is stored in said storage unit in said information management apparatus or stored in said storage unit in the device, wherein, in accordance a judgment result by said judgment unit, said acquisition unit acquires the data from said storage unit in said information management apparatus or said storage unit in the device (col.2, 1-41; col. 6, lines 42-61 and col. 9, lines 1-47. see figs 3-5).

As per claim 6, Mukaiyama et al teach the information management apparatus according to claim wherein the identification information is URL-inscribed (col. 5, lines 35-65 and col. 10, lines 8-29).

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As per claim 7, Mukaiyama et al teach the information management apparatus according to claim 1, wherein the data is transmitted to said external apparatus, based on HTTP (col. 9, lines 1-31 and col. 12, lines 32-42).

As per claim 8, Mukaiyama et al teach the information management apparatus according to claim 1, wherein a network board is attached to the device (fig. 6, shows network board 216 and connection 40. See also fig. 4, 301 and connection 40 and col. 7, lines 7-38).

As per claim 9, Mukaiyama et al teach the information management apparatus according to claim 1, wherein the data is requested from said external apparatus, based on document data for display for displaying information on the device by browser (col. 5, lines 35-65 col. 9, lines 1-18 and 27-47).

As per claim 10, Mukaiyama et al teach the information management apparatus according to claim wherein the device is a laser beam printer (device 10, fig. 1).

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As per claims 21, 41, and 54, these claims include similar limitations as claim 1 above. Therefore, they are rejected with the same rationale.

As per claims 22 and 42, Mukaiyama et al the invention, wherein when said data is dependent upon the machine kind of said device said acquisition means transmits a request of said data to said device, and receives said data from said device col.2, 1-7 and col. 5, lines 35-54).

As per claims 23, 43 and 45, Mukaiyama et al the invention further comprising:

judgment means for judging, on the basis of a list indicating said data dependent upon the machine kind of said device (col. 5, lines 35-65), as to whether said data is stored in the storage unit in said information management apparatus or stored in the storage unit in said device, wherein, in accordance a judgment result by said judgment means, said acquisition means acquires said data from the storage unit in said information management apparatus the storage unit in said device (col.2, 1-7; col. 6, lines 42-61 and col. 5, lines 35-54. see figs 3-5).

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As per claims 24,25 and 44, Mukaiyama et al the invention, wherein said identification information path name (col. 6, lines 35-54), and said judgment means judges, on the basis of a directory part included in said path name, as to whether said data is stored in the storage said information management apparatus or stored in the storage unit in said device (col. 6, lines 35-54 and col. 5, lines 35-54).

As per claims 26 and 46, Mukaiyama et al the invention, wherein said identification information is URL-inscribed (col. 5, lines 35-65 and col. 10, lines 8-29).

As per claims 27 and 47, Mukaiyama et al the invention, wherein said data is transmitted to said external apparatus, based on HTTP (col. 9, lines 1-31 and col. 12, lines 32-42).

As per claim 29 and 49, Mukaiyama et al the invention, wherein said data is requested from said external apparatus, based on document data for display for displaying information on said device by browser (col. 5, lines 35-65).

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As per claim 50, Mukaiyama et al the invention, where the device is a laser beam printer (device 10, fig. 1).

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may

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be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

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ABDULLAHISALAD
PRIMARY EXAMINER